IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4360 OF 2004

Ronald Raymond Cabral ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.A.P.Mundargi for Applicant.

Mr.A.S.Gadkari, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

OCTOBER 21, 2004.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. The Applicant and deceased were sharing one room. Prima facie, it appears that the altercation between Applicant and deceased took place on the spur of the moment. During the said altercation, the Applicant reacted by giving one stab injury to the deceased, to which, he succumbed

to death.

3. Having regard to the apprehension expressed by the learned A.P.P. that the Applicant is not permanent resident of Maharashtra and taking overall view of the matter, the Applicant, in my opinion, deserves to be enlarged on bail, if strict conditions were to be imposed. Mr.Mundargi for the Applicant has no objection if Applicant is enlarged on bail by imposing strict conditions as indicated hereinafter. In the circumstances, the Application is allowed on the following terms :

(a) The Applicant is enlarged on bail in connection with C.R.No.147 of 2004 registered with Azad Maidan Police Station on executing personal bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two local sureties in the like amount.

(b) The Applicant shall not enter the jurisdiction of Azad Maidan Police Station during the pendency of the trial.

(c) The Applicant shall inform his place of residence, where he intends to reside after release, within one week from the date of release, to the Investigating Officer as well as the Trial Court.

(d) The Applicant shall report to the nearest Police Station, once a week on Sunday between 10.00 a.m. to 1.00 p.m.

(e) The Applicant shall not influence the prosecution witness or tamper with the evidence in any manner whatsoever.

(f) The Applicant shall co-operate in early disposal of the case. If the Trial Court is of the opinion that the Applicant is creating any obstacle in the early disposal of the case, that can be a ground for cancellation of his bail.

. Application disposed of accordingly.

A.M.KHANWILKAR, J.